

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: JOHN C. FLAGLER, : Case No. 17-16997REF  
Debtor : Chapter 7

**ORDER**

AND NOW, this 6 day of April, 2018, upon my consideration of the motion filed by Francis E. Templin ("Mr. Templin") to dismiss Chapter 7 petition of Debtor (the "Dismissal Motion") and the response filed by Debtor, and after a hearing on April 4, 2018, on the Dismissal Motion, during which hearing I entered a Bench Order denying the Dismissal Motion based upon my statements in Court, particularly pursuant to my finding and conclusion that the Dismissal Motion fundamentally seeks a denial of Debtor's discharge under Section 727,<sup>1</sup> for which an adversary complaint must be filed,<sup>2</sup> rather than by a motion for dismissal of this Chapter 7 bankruptcy case,

IT IS HEREBY ORDERED that the Bench Order I entered on April 4, 2018 denying Mr. Templin's Dismissal Motion IS HEREBY REAFFIRMED.

BY THE COURT



RICHARD E. FEHLING

United States Bankruptcy Judge

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<sup>1</sup> Mr. Templin acknowledged that I was correct in my determination that he filed the Dismissal Motion to prevent the debt allegedly owed to him by Debtor from being discharged.

<sup>2</sup> The deadline for filing an adversary complaint objecting to Debtor's discharge or the dischargeability of a debt owed by Debtor was February 13, 2018.